

S. MITCHELL KAPLAN (SBN 095065)  
 MARK E. MEREDITH (SBN 156389)  
 GORDON & REES LLP  
 275 Battery Street, Suite 2000  
 San Francisco, CA 94111  
 Telephone: (415) 986-5900  
 Facsimile: (415) 986-8054

STEPHEN E. RAY (*Pro Hac Vice*)  
 STEIN, RAY & HARRIS LLP  
 222 West Adams Street, Suite 1800  
 Chicago, IL 60606  
 Telephone: (312) 641-3700  
 Facsimile: (312) 641-3701

Attorneys for Plaintiff  
 BOVIS LEND LEASE, INC. as assignee of  
 LNR-LENNAR BRANNAN STREET, LLC

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

BOVIS LEND LEASE, INC., as assignee of  
 LNR-LENNAR BRANNAN STREET, LLC,

Plaintiff,

vs.

MBH ARCHITECTS, INC. aka MCNULTY  
 BRISKMAN HEATH and DOES 1 through 150,

Defendants.

MBH ARCHITECTS, INC., a/k/a MCNULTY  
 BRISKMAN HEATH,

Cross-Complainant,

vs.

LNR-LENNAR BRANNAN STREET, LLC,  
 and ROES, 1 through 150, inclusive,

Cross-Defendants.

Case No. C 07-05262 JSW

**STIPULATION OF DISMISSAL WITH  
 PREJUDICE AND ~~PROPOSED~~  
 ORDER**

**Fed. R. Civ. P. 41(A)(1)**

Judge: Hon. Jeffrey S. White  
 Courtroom: 11

Trial Date: April 20, 2009

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff, BOVIS LEND LEASE, INC., as assignee of LNR-LENNAR BRANNAN STREET, LLC, and Defendant, MBH ARCHITECTS, INC. aka MCNULTY BRISKMAN HEATH, stipulate, and the Court hereby orders, as follows:

1. The dispute between the parties has been settled, therefore, the claims asserted by Plaintiff, BOVIS LEND LEASE, INC., as assignee of LNR-LENNAR BRANNAN STREET, LLC, against Defendant, MBH ARCHITECTS, INC. aka MCNULTY BRISKMAN HEATH, in the above-captioned proceeding are hereby dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1). Further, the claims asserted by MBH in its Cross-Complaint are hereby dismissed with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).

2. Each party shall bear its own fees and costs.

DATED: August 18, 2009.

GORDON & REES, LLP

By: 

Mark E. Meredith

Attorneys for Plaintiff BOVIS LEND LEASE,  
INC. as assignee of LNR-LENNAR  
BRANNAN STREET, LLC

DATED: August 18, 2009

LONG & LEVIT

By: 

Jennifer A. Becker

Attorneys for Defendant Plaintiff MBH  
ARCHITECTS, INC. aka MCNULTY  
BRISKMAN HEATH

THE FOREGOING STIPULATION  
IS APPROVED AND IS SO ORDERED

Dated: August 20, 2009

  
The Honorable Jeffrey S. White  
United States District Judge